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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MICROSOFT CORPORATION,

11 Plaintiff,

12 v.

13 MOTOROLA, INC, et al.,

14 Defendants.

15 MOTOROLA MOBILITY, INC., et
16 al.,

17 Plaintiffs,

18 v.

19 MICROSOFT CORPORATION,

20 Defendant.

CASE NO. C10-1823JLR

ORDER GRANTING
MOTION TO SEAL

1 This matter comes before the court on Defendants Motorola, Inc., Motorola
2 Mobility, Inc., and General Instrument Corporation's (collectively, "Motorola") motion,
3 filed March 30, 2012, to seal (1) Motorola's motion for partial summary judgment; (2)
4 Exhibits 1-6, 10, 11, and 26 to the Declaration of Kevin J. Post; and (3) the Declaration
5 of K. McNeill Taylor, Jr.¹ (Mot. (Dkt. # 227).) Plaintiff Microsoft Corporation
6 ("Microsoft") did not file an opposition to Motorola's motion to seal. (*See* Dkt.) The
7 court has reviewed Motorola's motion, and its reply (Dkt. # 264), and the relevant law.
8 For the reasons set forth below, the court GRANTS Motorola's motion (Dkt. # 227).

9 Pursuant to Western District of Washington Local Rule CR 5(g)(2), the court may,
10 for "good cause under [Federal] Rule [of Civil Procedure] 26(c)," seal a document
11 attached to a nondispositive motion, or seal a document attached to a dispositive motion
12 upon a "compelling showing that the public's right of access is outweighed by the
13 interests of the public and the parties in protecting the court's files from public review."
14 Local Rules W.D. Wash. CR 5(g)(2). Similarly, the Ninth Circuit has held that
15 "compelling reasons" must be shown to seal judicial records attached to a dispositive
16 motion. *Kakakama v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006).

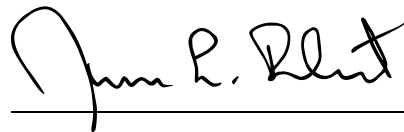
17 In its motion, Motorola seeks to seal (1) Motorola's motion for partial summary
18 judgment (Dkt. # 231); (2) Exhibits 1-6, 10, 11, and 26 to the Declaration of Kevin J.

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20 ¹ This matter has a complex procedural history. Originally, the parties were involved in
21 two separate actions, one in which Microsoft was the plaintiff, No. C10-1823JLR, and one in
22 which Motorola was the Plaintiff, No. C11-0343JLR. On June 1, 2011, the court consolidated
the two cases under Cause No. C10-1823JLR. (Dkt. # 66 at 12.) For purposes of this order, the
court deems Motorola as the defendant.

1 Post (Dkt. # 233); and (3) the Declaration of K. McNeill Taylor, Jr. (Dkt. # 232). Each of
2 these documents relates to Motorola's motion for partial summary judgment, a
3 dispositive motion; and therefore, Motorola must show a "compelling reason" to seal
4 these documents. Having examined each document, as well as Motorola's detailed
5 motion to seal (Mot.), the court finds that each document contains information about
6 Motorola's licenses, licensing history, internal business practices, and/or legal practices
7 such that each document is sufficiently confidential to meet the "compelling reasons"
8 standard.

9 Accordingly, the court GRANTS Motorola's motion to seal (Dkt. #227), and
10 further DIRECTS the clerk to maintain the seal on Docket Numbers 231, 232, and 233.

11 Dated this 24th day of April, 2012.

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14 The Honorable James L. Robart
15 U.S. District Court Judge
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